

EXHIBIT

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WRITER'S DIRECT DIAL NUMBER: (312) 755-3161

OUR FILE NUMBER: 104190.000100

SENT PURSUANT TO FRE 408

May 25, 2022

VIA EMAIL to: Harry@carwashadvisory.com

Harry Caruso, Founder
Car Wash Advisory
500 W 43rd St #19G,
New York, NY 10036

RE: Notice of Unauthorized Use of "AMPLIFYCARWASH.COM"

Mr. Caruso:

We represent Amplify Car Wash Advisors LLC. ("Amplify"). Amplify has been using the mark "Amplify" in connection with capital advisory and mergers and acquisition services since at least 2020.

It has come to our attention that your company, Car Wash Advisory LLC, uses the domain amplifycarwash.com ("Infringing Domain") to redirect consumers to your company's website Carwashadvisory.com. Your firm is intentionally and willfully trying to profit off Amplify's notoriety and goodwill. Your unauthorized use of the "Amplify" mark has caused and is likely to continue to cause confusion amongst consumers and creates a false partnership between your company and Amplify. Based on our preliminary research you, or someone on your behalf, purchased the Infringing Domain on or about November 2021, whereas Amplify has been using the Amplify mark continuously since at least as early as 2020.

Accordingly, your unauthorized use of the "Amplify" mark constitutes trademark infringement (15 U.S.C. § 1125(a) - Section 43 of the Lanham Act), cybersquatting (15 U.S.C. § 1125(d)), and violations of New York's unfair competition laws (Section 360 of Article 24 of the New York General Business Law (N.Y. Gen. Bus. Law § 360)). You should also be aware a corporate officer may be held directly liable for trademark infringement and unfair competition if the officer is a "moving, active, conscious force behind the defendant corporation's infringement." *Innovation Ventures, LLC v. Ultimate One Distrib. Corp.*, 176 F. Supp. 3d 137, 155 (E.D.N.Y. 2016) (quoting *KatiRoll Co. v. Kati Junction, Inc.*, 33 F. Supp. 3d 359, 367 (S.D.N.Y. 2014) In



this instance, Amplify would name you and any other employees of your organization individually in any legal action brought by Amplify.

Our client has several options to enforce their legal rights. For example, it could choose to file a federal lawsuit against you seeking: (i) preliminary and permanent injunctive relief; (ii) money damages; (iii) treble money damages; (iv) compensation equal to all of your profits; (v) reimbursement for all of its attorneys' fees, which can quickly become significant; (vi) corrective advertising damages; and/or (vii) statutory damages. Damages may be enhanced due to your willful infringement.

Due to the unauthorized use of the "AMPLIFY" mark and the Infringing Domain in connection with your services, our client demands you immediately cease using "AMPLIFY" and the Infringing Domain in connection with your services.

Please notify us in writing within **7 days (June 1, 2022)** that Car Wash Advisory LLC has ceased all use of the "AMPLIFY" mark and has ceased using the Infringing Domain (www.amplifycarwash.com) to redirect consumers to your company's website www.carwashadvisory.com. Further, we request that you immediately transfer the Infringing Domain and any other domain containing the AMPLIFY mark to our client's control.

We look forward to receiving your prompt cooperation with these requests.

Nothing in this letter should be construed as a waiver, relinquishment or election of rights or remedies by our client or its related entities. Amplify and its related entities expressly reserve all rights and remedies under all applicable federal and state laws.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher W. Niro', written in a cursive style.

Christopher W. Niro